

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No.04-218 (400/148))

In the Application of:

James McSwiggen

Serial No. 10/800,487

Filed: March 15, 2004

For: RNA Interference Mediated Inhibition of Intercellular  
Adhesion Molecule (ICAM) Gene Expression Using  
Short Interfering Nucleic Acid (siNA)

Group Art Unit: 1645

Examiner: TBA

**REQUEST FOR CORRECTED FILING RECEIPT**Mail Stop: OIPE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Attention: Application Processing Division  
Customer Correction Branch

Dear Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.

**Error in**

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/757,803 01/14/2004

which is a CIP of 10/720,448 11/24/2003

which is a CIP of 10/693,059 10/23/2003

which is a CIP of 10/444,853 05/23/2003

McDonnell Boehnen Hulbert & Berghoff LLP  
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Chicago, IL 60606  
Tel: (312)913-0001  
Fax: (312) 913-0002

USSN 10/800,487  
MBHB04-218 (400.148)

which is a CIP of PCT/US03/05346 02/20/2003  
and is a CIP of PCT/US03/05028 02/20/2003  
and said PCT/US03/05346 02/20/2003  
claims benefit of 60/358,580 02/20/2002  
and said PCT/US03/05028 02/20/2003  
claims benefit of 60/358,580 02/20/2002  
and said PCT/US03/05346 02/20/2003  
claims benefit of 60/363,124 03/11/2002  
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claims benefit of 60/386,782 06/06/2002  
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claims benefit of 60/409,293 09/09/2002  
and said PCT/US03/05028 02/20/2003  
claims benefit of 60/409,293 09/09/2002  
and said PCT/US03/05346 02/20/2003  
claims benefit of 60/440,129 01/15/2003  
and said PCT/US03/05028 02/20/2003

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claims benefit of 60/440,129 01/15/2003

This application 10/800,487

is a CIP of 10/427,160 04/30/2003

which is a CIP of PCT/US02/15876 05/20/2002\*

(\*) Data provided by applicant is not consistent with PTO records.

**Correct Data:**

Domestic Priority data as claimed by applicant:

This application is a CIP of 10/757,803 01/14/2004

which is a CIP of 10/720,448 11/24/2003

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claims benefit of 60/363,124 03/11/2002

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claims benefit of 60/386,782 06/06/2002

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claims benefit of 60/406,784 08/29/2002

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This application 10/800,487  
is a CIP of 10/427,160 04/30/2003  
which is a CIP of PCT/US02/15876 05/17/2002

3. Applicant attaches a copy of the Grant of Applicant's Petition to Correct the Filing Date for PCT/US02/15876. The correct filing date as indicated in the Granted Petition is now May 17, 2002. Thus, the data provided by Applicant is no longer inconsistent with PTO records. Also enclosed is a revised Application Data Sheet showing additions in underlining and deletions in strikethrough. Priority to PCT Applications PCT/US03/05028 and PCT/US03/05346 were claimed under 35 USC 119 and 120. As both of these applications designate the US, priority under §119 is being cancelled. These changes are also indicated in the attached Supplemental Application Data Sheet.

USSN 10/800,487  
MBHB04-218 (400.148)

4. The correction is not due to any error by Applicant and no fee is due.

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff LLP

Date: April 26 2005

By: 

Lisa M. W. Hillman  
Reg. No.: 43,673



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/800,487	03/15/2004	1645	549	04-218 (400.148)	24	31	1

CONFIRMATION NO. 9362

020306

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
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CHICAGO, IL 60606

## UPDATED FILING RECEIPT



\*0C000000014415245\*

Date Mailed: 11/19/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James McSwiggen, Boulder, CO;

## Assignment For Published Patent Application

Sirna Therapeutics, Inc.

DOCKETED

NOV 23 2004

IPS-6-15-04  
DUE DATE: 03-15-05  
BY: [Signature]

Power of Attorney: The patent practitioners associated with Customer Number 020306.

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/757,803 01/14/2004  
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#### Foreign Applications

If Required, Foreign Filing License Granted: 07/21/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/800,487**

Projected Publication Date: 03/03/2005

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

#### Title

RNA interference mediated inhibition of intercellular adhesion molecule (ICAM) gene expression using short interfering nucleic acid (siNA)

#### Preliminary Class

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

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